

## 1.0 INTRODUCTION

### 1.1 Scope of the Plan

Rocky Mountain National Park (RMNP or the Park) encompasses 265,769.14 acres (107,556 hectares) and is located in north-central Colorado in portions of Larimer, Boulder, and Grand Counties (see Figure 1-1). The towns of Allenspark, Glen Haven, Estes Park, Meeker Park, and Grand Lake are found along its borders. Currently, within RMNP, approximately 2.9 percent, 7,482 acres (3,028 hectares) is developed, 2.1 percent, 5,759 acres (2,330 hectares) is backcountry, 93.5 percent, 248,464 acres (100,628 hectares) is recommended wilderness, 0.4 percent, 1,147 acres (465 hectares) is potential wilderness, and 1.1 percent, 2,917 acres (1,181 hectares) is designated wilderness (see Figure 1-2). Refer to Section 1.3.1 for history of the Wilderness Recommendation. Lands bordering RMNP are a mixture of state, local, private, and federal lands. About 62 percent of the Park boundary borders National Forest Land, with 70 percent of the adjacent Forest lands managed as designated wilderness (see Figure 1-3). The rest of the Park boundary borders subdivisions, summer camps, and burgeoning town populations.

This Backcountry/Wilderness Management Plan addresses issues and provides guidelines for managing the non-developed areas of RMNP that are defined as backcountry (any area more than 100 feet from developed areas or roads) or as designated, recommended, or potential wilderness. As further discussed in Section 1.3.2 below, the scope of this plan includes both designated and recommended wilderness, per NPS Management Policies 2001 (6.3.1). Since backcountry and wilderness do not include the developed areas of RMNP, issues which pertain specifically to developed areas are not within the purview of this Backcountry/Wilderness Management Plan.

This plan supersedes any direction or guidance set forth in the 1984 Backcountry Management Plan. Within this framework, this plan provides direction for management of natural and cultural resources within the context of wilderness and backcountry management policies, with primary focus on visitor use and impacts to wilderness values and resources and administrative actions to mitigate associated impacts. It also sets the tone and increases awareness of the way the public and park staff looks at the wilderness and backcountry character and resources of RMNP.

The scope of this plan does not involve any proposed approval, action, or documentation that is directly related to the recommendation before Congress to officially designate 248,464 acres (100,628 hectares) of RMNP as wilderness. This plan and current actions and policies of the Park must treat any proposed or recommended wilderness the same as officially designated wilderness, based on NPS Management Policies 2001 (6.3.1).

### 1.2 Purpose and Need For This Plan

The purpose of this Backcountry/Wilderness Management Plan is to serve as:

- 1) A public document that defines wilderness management policies and actions used at Rocky Mountain National Park (RMNP or “the Park”);
- 2) A means to identify RMNP’s wilderness vision, long range management goals, intermediate objectives, and actions and options to meet those objectives; and
- 3) A working guide for staff who manage the wilderness resource.



Figure 1-1

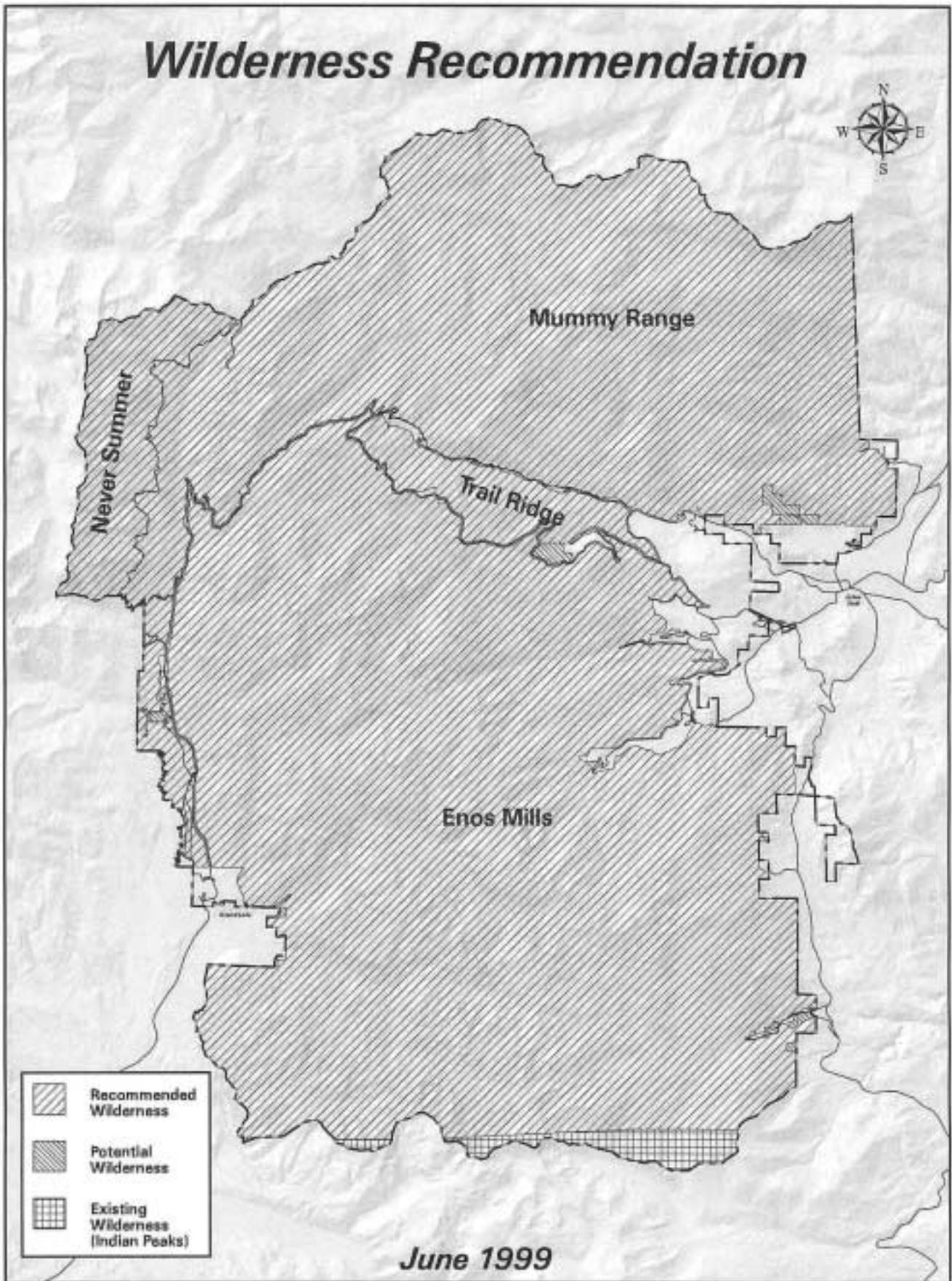


Figure 1-2

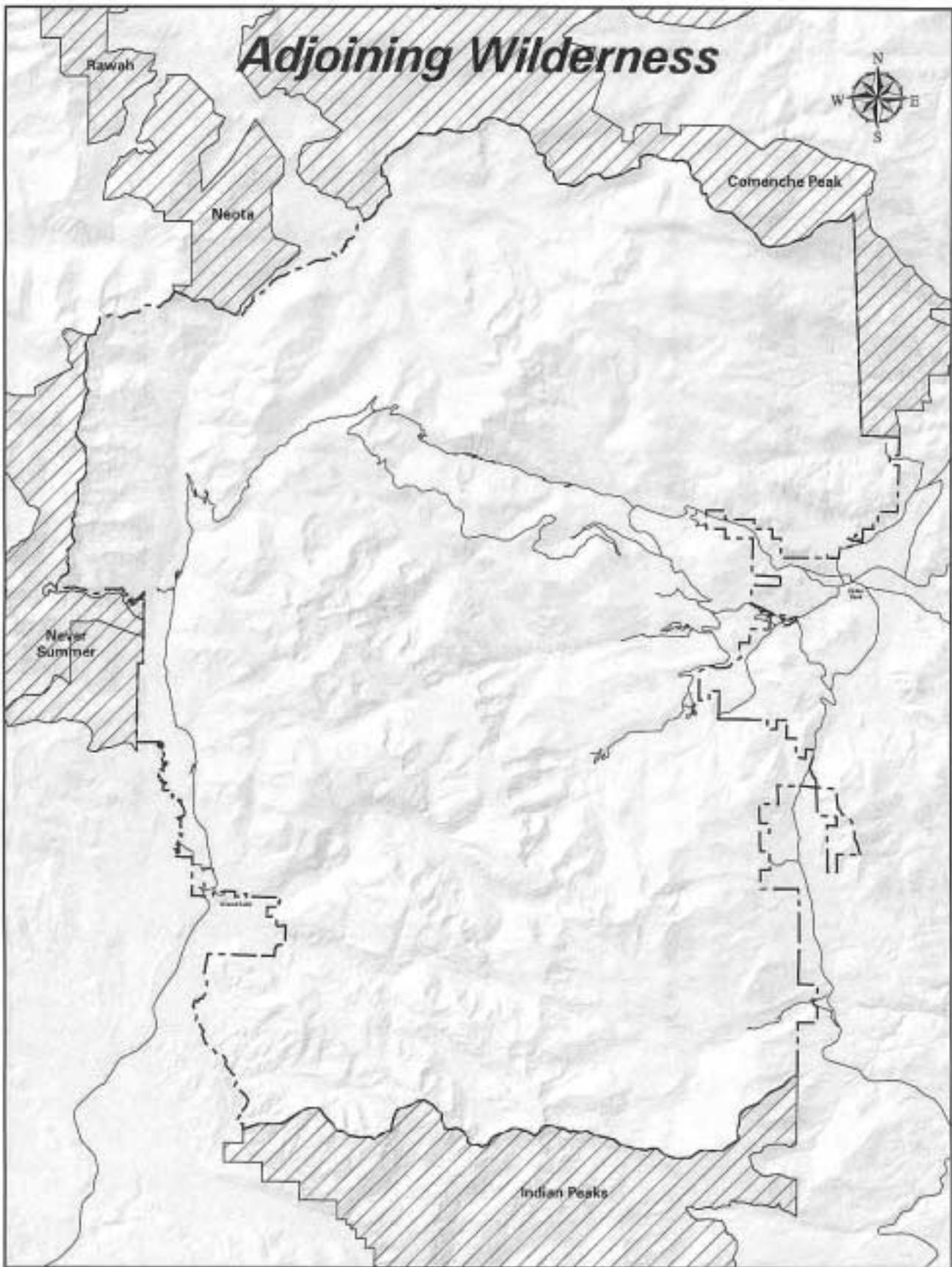


Figure 1-3

National Park Service (NPS) policy states that "each park containing wilderness will develop and maintain a wilderness management plan to guide the preservation, management, and use of that wilderness." In addition, Director Roger Kennedy outlined several key park responsibilities with regard to wilderness management in a memorandum to park superintendents dated November 4, 1994. One such responsibility for the RMNP was to "ensure that your park has a wilderness/backcountry plan completed by the year 2000." Director Robert Stanton reaffirmed this direction in his own memorandum dated February 27, 1998, in which he directed parks to have a current, approved wilderness management plan as soon as possible, but no later than the year 2002.

Other reasons for developing this plan include the following:

- The current Backcountry Management Plan was approved in 1984. There are many sound principles and good guidance in that plan; however, it mainly addresses overnight use of the backcountry. Several visitor and administrative uses have since changed and need to be addressed.
- Overnight use in RMNP has steadily increased since the mid 1980's. It is important to review and revise, if necessary, the Park's management policies and guidelines with respect to overnight use and the permitting process.
- The population along the Front Range of Colorado continues to grow, and visitation to RMNP topped three million in 1994. As a result, day use and its associated impacts have increased significantly. Appropriate management actions are needed to protect the wilderness resources for present and future generations.
- Finally, new technology continues to play a role in how wilderness areas are managed and requires consideration to protect natural resources and visitor experience. Appropriate uses need to be discussed and guidance provided.

### **1.3 Wilderness at Rocky Mountain National Park**

#### **1.3.1 History of Wilderness and Backcountry Management/Wilderness Recommendation**

Rocky Mountain National Park has always been recognized for its wilderness character. Many of the management plans developed have addressed various aspects of the wilderness found within RMNP. In 1984, the current Backcountry Management Plan was approved, which includes principles and guidance for wilderness management. However, the 1984 plan and earlier versions primarily focused on overnight use of the backcountry.

Total park visitation continues to increase. Since 1994 visitation has topped three million annually. Many visitors enter the wilderness/backcountry for day and overnight trips. Documentation of current day use levels is limited. A 1977 backcountry/wilderness day use study estimates hikers at 700,000 per year (Tarhan, 1977). In 1994 and 1995 an exit survey of 4,000 visitors was conducted, in which 48 percent of the respondents stated hiking was a main activity. Considering current park visitation figures, this would more than double the 1977 estimate. Park management for day use has included hardening trails and high use destination sites, dispersing use throughout RMNP, and educating the public on impacts they may cause.

Statistical trends of overnight backcountry use can be seen from the Park's earliest records beginning in 1960 (see Figure 1-4). Annual user night use of 13,795 continued a steady increase to a peak of use in 1977, with 62,708 user nights. This was followed by a decline to 32,705 user nights in 1987, followed again by a steady increase to a total of 41,772 user nights in 1999. The backcountry of RMNP is an ever-increasing destination for those seeking a quality wilderness experience.

The Backcountry Permit System developed prior to 1968 in response to the overuse and severe impacts that had appeared in high use backcountry areas within RMNP. Many of the camp areas were near popular high country lakes. It was reported in those years that the popular Fern Lake area was often crowded with over 200 people on busy weekends. One report from Park Ranger Bob Haines said that "there were tents, fires and pits toilets everywhere even right up to the edge of the lake". The impacts were highly visible and severe.

Park officials, in an attempt to mitigate these impacts, instituted a permit system in order to regulate and more evenly distribute backcountry use. This system allowed for focused impacts in specified areas that could be directly managed. The system was administered on a "first come, first served" basis.

An advance reservation system for overnight use was initiated in July 1974. Fifty percent of RMNP's then 200 backcountry campsites were included in the reservation system. The other 100 sites continued to be on a 24-hour advance "first come, first served" basis as had been in the past. Designated sites at this time allowed 1-7 people, and group limits permitted 8-25 people for overnight camping. There were no fees for backcountry use or the administration of backcountry permits.

In the summer of 1976, due to the difficulty of administering 50 percent of the sites by reservation and 50 percent by "first come, first served", all backcountry campsites were transferred to the reservation system. Sites that had not been reserved in advance were, of course, still available on a "first come, first served" basis. In May 1976, group site limits were reduced from 25 to 20, and night limits increased from seven (7) nights total allowed year-round to seven (7) nights from June - September and an additional 15 nights allowed from October - May, for a total of 21 nights allowed year-round. Beginning in approximately November 1976, self-registration boxes for backcountry permits were placed at strategic trailheads (Wild Basin, Long's Peak, and North Fork) during the winter months instigated by staffing constraints and for the convenience of park visitors. In January 1993, overnight group size limits were reduced again from 20 (summer) and 15 (winter) to 12 (year-round), due to high impacts and declining national trends.

From 1968 to 1994, the reservation system was entirely tracked by hand. Due to the incredible workload and advance in computer technology, the current Backcountry Reservation System was computerized and put online on January 1, 1994. The system was designed and developed in park by the Computer Specialist, Wilderness Program Specialist, and Backcountry Office Manager. The system is reviewed, improved, and updated annually.

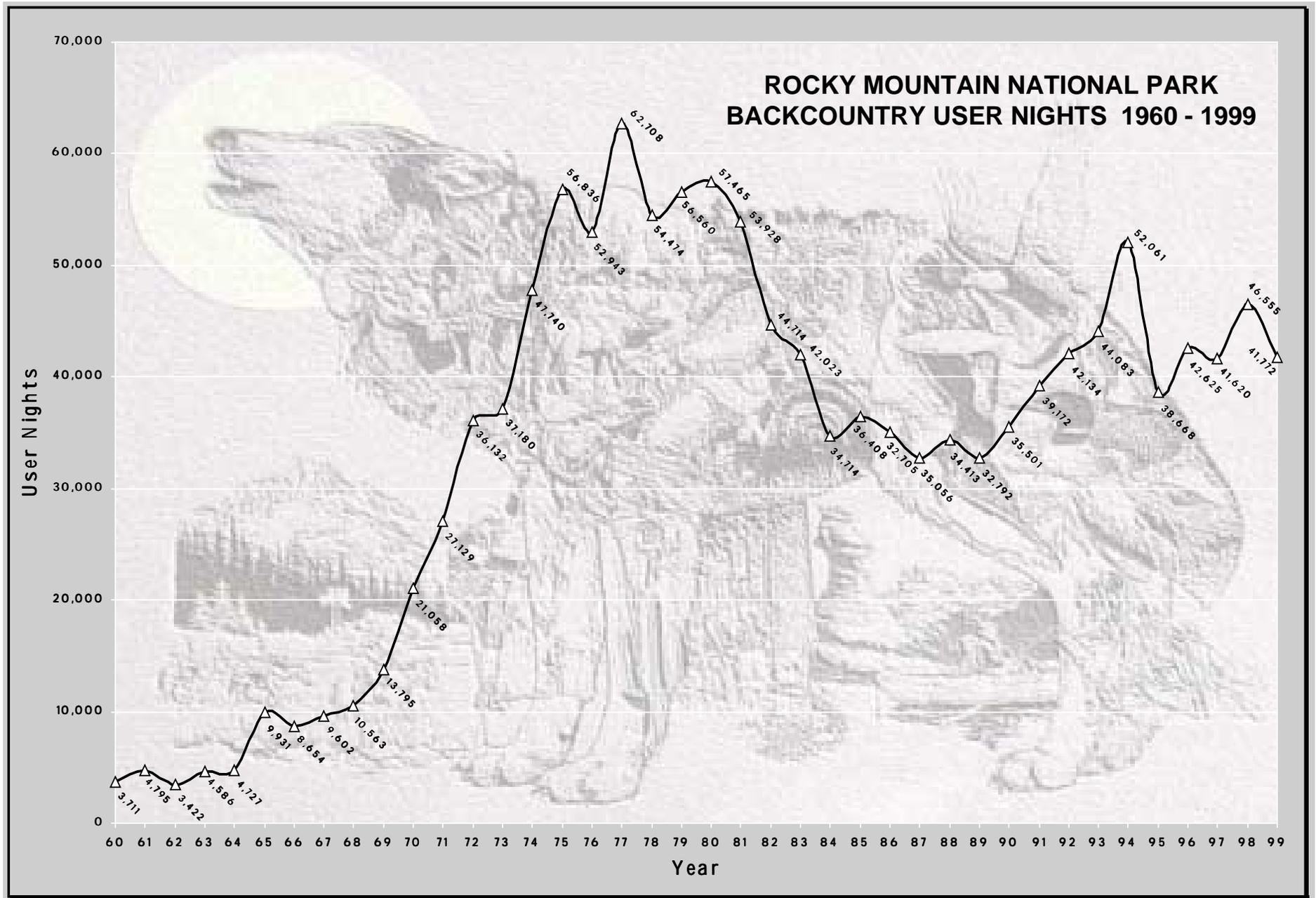


Figure 1-4

Due to ever increasing demands on RMNP's budget, fees for the administration of backcountry permits were introduced on May 1, 1995 under Special Park Use authority. All money collected stays within RMNP and is used directly for the administration of backcountry permits. The initial fee was \$10 for the administration of each permit (which included all nights of the permit and all people in the party). The administrative fee was raised to \$15 on May 1, 1997.

A recommendation to officially designate much of RMNP as wilderness was first introduced to Congress by President Nixon on June 13, 1974. The original recommendation consisted of 239,835 acres to be designated as immediate Wilderness, and 479 acres to be managed as Potential Wilderness Additions. Since 1974, legislation for official designation has been introduced several times which included modifications to the recommended boundaries and acreage due to changes in land ownership, changes in the place of diversion or storage for water rights and several boundary adjustments. In 1980, a park boundary change resulted in 2,917 acres (1,181 hectares) of existing wilderness within the designated Indian Peaks Wilderness being transferred to RMNP.

On April 3, 2001, Congressman Mark Udall (D-CO) introduced the most recent Wilderness legislation for Rocky Mountain National Park to Congress. This recommendation consists of 248,464 acres (100,628 hectares) to be designated as immediate wilderness and 1,147 acres (465 hectares) to be managed as Potential Wilderness Additions (see Figure 1-2). These preliminary acreages correspond to the Rocky Mountain National Park Recommended Wilderness Boundaries Map #121-60,403a dated June 1999. Official maps will be produced and official acres calculated upon official designation by Congress. This recent recommendation has not been acted on and remains pending before Congress.

### 1.3.2 NPS Wilderness Management Policies

The Wilderness Act, NPS Management Policies, and Director's Order 41: Wilderness Preservation and Management provide guidance for wilderness management. Policies state that wilderness resources or character cannot be compromised unless the actions only have localized, short-term adverse impacts. Wilderness should be an area where the earth and its community of life are untrammelled by humans. It should retain its primeval character and influence without permanent improvements.

NPS wilderness management policies are based on provisions of the Organic Act and the Wilderness Act, as well as the establishing legislation of individual parks within the national system. As outlined in DO 41, wilderness management programs and policies apply to parks that have suitable, study, proposed, recommended, and designated wilderness, since NPS Management Policies 2001 (6.3.1) treats all categories of wilderness in the same manner:

*...the term "wilderness" will include the categories suitable, study, proposed, recommended, and designated wilderness. Potential wilderness may be a subset of any of these five categories. The policies apply regardless of category."*

Therefore, the Park Service will take no action that would diminish the wilderness suitability of an area recommended for wilderness study or for wilderness designation until the legislative process has been completed. Until that process has been completed, management decisions pertaining to recommended wilderness and wilderness study areas will be made in expectation of wilderness designation.

NPS Management Policies also address the management of public use of wilderness, and state that the NPS will “encourage and facilitate those uses of wilderness that require the wilderness environment and do not degrade wilderness resources and character”. As stated in the Wilderness Act, these areas are for public purposes of recreational, scenic, scientific, educational, conservation, and historical uses. Visitors are encouraged to comply with the concept minimum impact wilderness use.

Regarding public use, NPS Management Policies 2001 (6.4.1) states:

*“Park visitors need to accept wilderness on its own unique terms. Accordingly, the National Park Service will promote education programs that encourage wilderness users to understand and be aware of certain risks, including possible dangers arising from wildlife, weather conditions, physical features, and other natural phenomena that are inherent in the various elements and conditions that comprise a wilderness experience and primitive methods of travel. The National Park Service will not modify the wilderness area to eliminate risks that are normally associated with wilderness, but it will strive to provide users with general information concerning possible risks, any recommended precautions, related user responsibilities, and applicable restrictions and regulations, including those associated with ethno-graphic and cultural resources.”*

### 1.3.3 Pre-existing Conditions in RMNP Wilderness

There are certain conditions or uses located within the backcountry/wilderness at RMNP that existed prior to the formation of the Park. These uses, through the Park’s enabling or subsequent legislation, have the right to continue, subject to park oversight and applicable regulations (i.e. 36 Code of Federal Regulations) that protect park resources and values, regardless of property ownership if it is within the boundaries of RMNP.

The pre-existing conditions within the backcountry/wilderness at RMNP include the following:

- Inholdings:
  - 23 Private, 115.09 acres
  - 2 Private-NPS lease, 79.98 acres
  - 2 Use and Occupancy, 69.95 acres
  - 1 Conservation Easement, 12.67 acres
  - 1 Life Estate, 3.98 acres
- Grazing:
  - MacGregor Ranch, 393 acre allotment, Expires 1/30/01
- Rights of Way:
  - Qwest Communications
  - Public Service Company of Colorado
  - Town of Estes Park
  - Water Supply and Storage Company
  - Grand Lake Lodge
  - Mountain Prairie Girl Scout Council
  - Mountain Parks Electric
  - Three Lakes Water and Sanitation District
  - Grand Lake Metropolitan Recreation District

- Water Rights:
  - East of the Continental Divide - Decree signed October 1994
    - Mountain Prairie Girl Scout Council
    - Town of Estes Park, Colorado
    - Water Supply and Storage Company
    - City of Longmont, Colorado
  - West of the Continental Divide - Decree signed November 2000
    - Columbine Lake Water District
    - Grand Lake Metropolitan Recreation District
    - Southeastern Colorado Water Conservancy District
    - Town of Grand Lake, Colorado
    - Water Supply and Storage Company
    - Grand Lake Lodge

### 1.3.4 Relationship of Wilderness Management to other RMNP Plans

This Backcountry/Wilderness Management Plan supersedes and updates the 1984 Backcountry Management Plan and provides direction for all actions in wilderness at RMNP. This plan sets the tone for what may need to be incorporated into other park plans. It guides any actions that take place in the backcountry or wilderness under other plans, including the following:

- Master Plan (1976)
- Trails Plan (1982)
- Backcountry Sign Plan (1988)
- Land Protection Plan/Amendment (1985/1991)
- Fire Management Plan (1992)
- Trails Management Plan (1994)
- Commercial Horse Use Plan and EA(1994)
- Vegetation Restoration Management Plan (1994)
- Aviation Management Plan (1996)
- Resources Management Plan (1998)
- Emergency Operations Plan (1999)
- Commercial Services Plan (Draft-1999)
- Trail System Maintenance and Reconstruction Plan (2000)
- Exotic Plant Management Plan and EA(Draft-2000)
- Snowmobile Management Plan and EA (Draft-2000)

## 1.4 Laws, Plans, Policies, and Authorities

The basis for this Backcountry/Wilderness Management Plan can be found in Congressional legislation, NPS policies, and park policies that provide guidelines for administering each National Park. The following provides a summary of the federal, NPS, and RMNP regulations, policies, and guidelines that provide the authority and basis for this plan.

### 1.4.1 Federal and General Provisions

Administration of the wilderness resources at RMNP is conducted in accordance with the following regulations:

**The Wilderness Act of 1964 (16 USC §1131 et seq.)** secures "for the American people of present and future generations the benefits of an enduring resource of wilderness." By definition, wilderness is "...a tract of undeveloped federal land of primeval character without permanent improvements or human habitation; an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain; where the forces of nature predominate and the imprint of human activities is substantially unnoticeable; which provides outstanding opportunities for solitude or a primitive and unconfined type of recreation". This act allows for the designation of wilderness areas and establishes management directives that specify the preservation of wilderness character.

**The National Environmental Policy Act of 1969 (P.L. 91-190, 42 USC §4321 et seq.)** directs agencies to develop procedures to ensure that the natural, physical, and cultural aspects of the environment are given due consideration in federal actions that may affect these resources. Documentation of existing resources, potential effects to these resources as a result of the proposed project, and public involvement are key elements of the NEPA process. NPS compliance procedures are described in NPS-12, the NEPA Compliance Guideline.

**Parker vs. the United States, the U.S. Court of Appeals, Tenth Circuit**, found that federal lands adjoining or contiguous to recommended wilderness, predominately of wilderness value, shall not be impacted until Congress acts on the wilderness proposal.

**The National Wild and Scenic Rivers Act of 1968 (16 USC 1271-1287)** provides for designation and protection of Wild, Scenic, or Recreational Rivers which are free-flowing streams with related adjacent land areas that possess outstanding scenic, recreational, geologic, fish, wildlife, historic, cultural, or other similar values. Per this act, these waterways are to be preserved in free-flowing condition with the immediate environment protected for enjoyment and benefit of present and future generations.

**Clean Water Act (Federal Water Pollution Control Act of 1972, 1977 and 1987 Amendments, and E.O. 11752)** is a national policy set forth to protect and enhance the quality of water resources and to prevent, control, and abate water pollution. This act requires a permit for a point source to discharge pollutants into navigable waters and a permit from the U.S. Army Corps of Engineers for any discharge of dredge or fill. This act prohibits discharge of oil or other substances defined as hazardous, in quantities defined as harmful.

**The Endangered Species Act of 1973 (16 USC 1531-1543)** requires federal agencies to ensure that management activities authorized, funded, or carried out by the agency do not jeopardize the continued existence of listed endangered or threatened species, or result in the destruction or adverse modification of habitat that is critical to the conservation of the species.

**E.O. 11988 "Floodplain Management," May 24, 1977 (42 USC 4321 note) and E.O. 11990 "Protection of Wetlands," 1977 (42 USC 4321 note)** instructs federal agencies to avoid, to the extent possible, the long and short term adverse impacts associated with the occupancy and modification of floodplains and wetlands, and to avoid direct or indirect support of development in floodplains and wetlands wherever there is a practicable alternative. Where floodplains or wetlands cannot be avoided, procedures focus on mitigation of the adverse effects of any action.

**Clean Air Act of 1977 (42 USC 7401-7626)** was established for the purpose of preserving, protecting, and enhancing air quality. This act establishes National Parks greater than 6,000 acres as mandatory Class I areas with only minor degradation of air quality allowed. Managers of such lands have direct responsibility to protect the air quality and related values, including

visibility. Executive Order 12088 (1978) requires federal agencies to comply with all provisions of the Act, including State Implementation Plans. The E.O. establishes procedures and responsibilities to ensure that all necessary actions are taken to prevent, control and abate environmental pollution with respect to federal facilities and activities.

***The American Antiquities Act of 1906*** was enacted by the Senate and House of Representatives to prevent the excavation and destruction of historic or prehistoric ruins or monuments on government controlled and owned lands. Persons found on government land without permission would be convicted and fined no more than five hundred dollars or would be imprisoned no more than ninety days, or could suffer both fine and imprisonment. The President of the United States is authorized to declare historic landmarks, historic and prehistoric structures, or other historic and scientific interests. Those situated on lands owned or controlled by the government can be made into national monuments or may be otherwise reserved. Permits for excavations, examinations, and gatherings may be issued by the Secretaries of the Interior, Agriculture, and War to those who are deemed properly qualified. The excavations, examinations, or gatherings must provide scientific or educational benefits and the gatherings must be made available for permanent preservation in public museums.

***The Historic Sites Act of 1935 (16 USC 461-467)*** establishes programs to preserve and receive donations of historic sites, buildings, and objects of national significance for the benefit of the American people. This act authorizes the programs including the Historic American Buildings Survey, the Historic American Engineering Record, and the National Survey of Historic Sites and Buildings.

***The National Trust Act of 1949*** facilitates public participation in the preservation of sites, buildings, and objects of national significance or interest. It also creates the National Trust for Historic Preservation.

***The National Historic Preservation Act of 1966, amended, 1976, 1980, 1992 (16 USC 470)*** directs the federal government to "preserve the historical and cultural foundations of the nation as a living part of our community life and development in order to give a sense of orientation to the American people". Elements of the act include the establishment of the National Register of Historic Places (NRHP); directives for federal agencies to not inadvertently demolish, substantially alter, or allow listed properties to significantly deteriorate; criteria for designating National Historic Landmarks; directives for the Secretary of Interior to nominate properties of international significance as World Heritage Sites; and the establishment of State Historic Preservation Programs and Preservation Officers (SHPO) to direct statewide inventories of historic properties, administer the NRHP, and advise government agencies regarding compliance with the act.

***E.O. 11593 "Protection and Enhancement of the Cultural Environment," May 31, 1971*** instructs all federal agencies to provide national leadership in historic preservation and to assure the preservation of cultural properties in federal ownership. The order directs all federal agencies to locate, inventory, and nominate all sites, buildings, districts, and objects under their jurisdiction or control that appear to qualify for listing on the NRHP.

***Archaeological and Historical Preservation Act of 1974*** amends the 1960 Salvage Act, and provides for the preservation of significant scientific, prehistoric, historic, or archeological data that might be lost or destroyed as a result of any alteration of the terrain caused by a result of any federal project or program.

**American Indian Religious Freedom Act of 1978 (AIRFA) (P.L. 95-341; 92 Stat. 469; 42 USC 1996)** establishes that the policy of the United States is to "protect and preserve for American Indians their inherent right of freedom to believe, express and exercise the traditional religions of the American Indian, Eskimo, Aleut and Native Hawaiians, including but not limited to site access, use and possession of sacred objects, and the freedom to worship through ceremonial and traditional rites."

**The Archaeological Resources Protection Act of 1979 (16 USC 470aa-470ll)** defines archeological resources as any material remains of past human life or activities that are of archeological interest and are at least 100 years old. This act provides for the protection of archeological resources located on public and Indian lands, and establishes criteria for issuing permits for any excavation or removal. Per this act, information concerning the nature and location of archeological resources may be exempt from the Freedom of Information Act.

**E.O. 13007, "Indian Sacred Sites", May 24, 1996**, states that those with statutory or administrative responsibilities for the management of federal lands shall accommodate ceremonial use of and access to Indian sacred sites by Indian religious practitioners, as well as avoid affecting the physical integrity of the sacred site. Reasonable notice must be provided of any proposed actions or land management policies that could restrict ceremonial use of or access to, or affect the physical integrity of sacred sites. Those with statutory or administrative responsibilities for the management of federal lands will report the following to the President, through the Assistant to the President for Domestic Policy: 1. Any changes to accommodate ceremonial use of and access to sacred sites; 2. any changes to avoid affecting the physical integrity of Indian sacred sites; and 3. procedures proposed to facilitate consultation with Indian tribes and religious leaders as well as to resolve conflicts relating to agency action on federal lands.

**The Architectural Barriers Act of 1968 (42 USC §4151 et seq.)** requires that facilities constructed or renovated using federal funds be accessible to and usable by persons with disabilities.

**Section 504 of the Rehabilitation Act of 1973, amended, 1978** states that any program or service provided to the general public must be made accessible to and usable by disabled individuals to the highest extent possible and feasible. It requires that "no otherwise qualified individual shall, solely by reason of his or her handicap, be denied the benefits of or participation in any program or activity funded or conducted by a federal agency."

**The Americans with Disabilities Act of 1990 (P.L. 101-336)** provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications. Section 507(c) specifically addresses the issue of federal wilderness access stating, "Congress reaffirms that nothing in the Wilderness Act is to be construed as prohibiting the use of a wheelchair in a wilderness area by an individual whose disability requires use of a wheelchair, and consistent with the Wilderness Act no agency is required to provide any form of special treatment or accommodation, or to construct any facilities or modify conditions of lands within a wilderness area to facilitate such use."

## 1.4.2 National Park Service Provisions

**The National Park Service Organic Act of 1916 (16 USC 1a-1)** creates the NPS, and establishes its purpose being, "to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." It directs the NPS

to promote and regulate the use of the parks by such means and measures as conform to their fundamental purposes.

**Redwood Act of 1978 (16 USC 1a-1)** amends the Organic Act to reemphasize Congressional direction for all NPS lands and states, "the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these areas have been established".

**36 Code of Federal Regulations, Revised July 1, 1989** contains codification of current regulations published in the Federal Register by the NPS, Department of Interior that apply to National Parks, national forests, and public property. Chapter I lists general regulations for the NPS. Section 7.7 of Chapter I lists regulations specific to Rocky Mountain National Park. A companion document, the *Rocky Mountain National Park Compendium* lists regulations, specific to Rocky Mountain National Park, and is revised and updated annually.

**The Vail Agenda, 1993** establishes a vision for the NPS into the twenty-first century. It establishes a set of six strategic objectives for improving NPS stewardship and management. The themes for the objectives are Resource Stewardship and Protection, Access and Enjoyment, Education and Interpretation, Proactive Leadership, and Science and Research and Professionalism. Recommendations for stewardship and management of wilderness are addressed in general terms, and specifically under Access and Enjoyment, "Where wilderness values are present, impairment of those values should not be compromised".

**National Park Service Management Policies, 2001** establishes Servicewide policies for preservation, management, and use of park resources and facilities, and guidelines and direction for the management of NPS wilderness. "The NPS will manage wilderness areas for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness. Management will include the protection of these areas, the preservation of their wilderness character, and the gathering and dissemination of information regarding their use and enjoyment as wilderness. The public purpose of wilderness in the national parks includes the preservation of wilderness character and wilderness resources in an unimpaired condition, as well as for the purposes of recreation, scenic, scientific, education, conservation, and historical use". More specific guidelines for application of the Wilderness Act in NPS areas are described in Chapter 6 of Management Policies. Topics include wilderness qualification reviews, wilderness management, wilderness use, and public education. Wilderness management policies are based on provisions of the Wilderness Act and the Organic Act, as well as the establishing legislation of individual parks within the national system.

**Director's Order 41: Wilderness Preservation and Management, 1999** establishes specific guidelines to provide accountability, consistency, and continuity to the National Park Service's wilderness management program. Topics include wilderness management planning, management techniques, Minimum Requirement Concept, interagency coordination, interpretation and education, scientific activities, facilities, signs, fire management, cultural resources, general public use, persons with disabilities, commercial services, special events, air quality, mineral development and training requirements.

**Concessions Policy Act of 1965 (P. L. 89-249)** provides guidelines for concession authorizations within the NPS. This act requires that public accommodations, facilities, and services within National Park system areas are only provided under carefully controlled safeguards against unregulated and indiscriminate use in order to preserve park values. It limits commercial use to

those operations that are necessary and appropriate for public use and enjoyment of National Park areas and are consistent to the highest practicable degree with the preservation and conservation of the areas.

**National Park Service Special Directive 83-3: Accessibility for Disabled Persons, 1983** states the official policy of the NPS with regard to accessibility for disabled persons, "In the planning, construction, and renovation of buildings and facilities and in the provision of programs and services to the public and employees, it is the policy of the NPS to provide the highest level of accessibility possible and feasible for persons with visual, hearing, mobility, and mental impairments, consistent with the nature of the area and program and consistent with the obligation to conserve park resources and preserve the quality of the park experience for everyone".

**Aircraft Overflights Act of 1987 (P.L. 100-91)** requires the Secretary of Interior to conduct a study to determine the appropriate minimum altitude for aircraft flying over National Park system units. Research at identified units is to include impacts of aircraft noise on safety, impairment of visitor enjoyment, other injurious effects of overflights on park resources and the values associated with aircraft overflights.

**National Park Service Omnibus Management Act of 1998 (P.L. 105-391), Title IV - National Park Service Concessions Management** states that the Congress finds that public accommodations, facilities, and services that must be provided in parks should be provided only under carefully controlled safeguards so that visitation will not impair park resources and values. It is the policy of the Congress that such public accommodations and facilities in NPS units shall be limited to those that are necessary and appropriate for public use and enjoyment of the park and that are consistent with preservation and conservation of park resources and values. Requirements are provided for concessions contracts, which must include measures for resource protection and preservation.

**National Parks Air Tour Management Act of 2000 (P.L. 106-181) and Associated Regulations (14 CFR Part 136)** propose a 5000 foot level to define commercial air tour operation for most parks. Below this level, the operator would be defined as a commercial air tour operation and would be subject to the requirements of Part 136. However, **Section 136.5, Prohibition of Commercial Air Tour Operators Over the Rocky Mountain National Park**, prohibits all commercial air tours in the air space over RMNP regardless of altitude.

**NPS-77, NPS Natural Resources Management Guideline** is a comprehensive guideline on natural resource management, combining existing guidance with documentation of unwritten practices and procedures of NPS resource management. It guides the actions of park managers so that natural resource activities planned and initiated at field areas comply with federal law and regulation and the Department of the Interior and NPS policy. This document was created by the National Park Service and is designed to specifically outline the management of natural resources, their allowable uses, the planning pertaining to them, and the program administration of these natural resources within all parks.

### 1.4.3 Rocky Mountain National Park Provisions

**Rocky Mountain National Park Act, January 26, 1915 (38 Stat. 798)** establishes Rocky Mountain National Park and its mission, "...hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States, and said area is dedicated and set apart as a public park for the benefit and enjoyment of the people of the United States, under the name Rocky Mountain National Park... regulations being primarily aimed at the freest use of

the said park for recreational purposes by the public and for the preservation of the natural conditions and scenic beauties thereof”.

**Rocky Mountain National Park Master Plan, January, 1976** establishes the guidelines for the overall use, preservation, management, and development of the area known as Rocky Mountain National Park. It identifies the purposes of the area, its relationship to regional environs, its resource values, what human needs it should meet, and the objectives for its management. It contains a land classification plan and a general development plan.

**Rocky Mountain National Park Biosphere Reserve, January 17, 1977** designated Rocky Mountain National Park as a Biosphere Reserve by the United Nations Educational, Scientific and Cultural Organization (UNESCO) under the Man and the Biosphere Program. As a Biosphere Reserve, Rocky Mountain National Park was given the greatest recognition for a natural area. As a national park, the protection of the area's outstanding geological, biological and cultural features and processes is assured for all people for all time. Rocky Mountain is unique in meeting both natural and cultural resource criteria for Biosphere Reserve designation.

**Public Law 96-560, December, 22, 1980** mandated that those lands established as wilderness in the Indian Peaks Wilderness Area (2,917 acres) and transferred to Rocky Mountain National Park from Roosevelt National Forest be retained as designated wilderness within the Park.

**Land Protection Plan for Rocky Mountain National Park, March, 1985 (amended 1991)** assists with the establishment of the means necessary to provide sufficient resource protection, to provide for public use, and to establish priorities for protection. The plan describes the three land management zones within the Park; Natural, Historic and Development.

**Statement for Management, Rocky Mountain National Park, June 1992** establishes the primary management statement and objectives for the Park. It also outlines the purpose and significance of the Park.

## 1.5 Vision, Goals, and Objectives

Visitors traveling through the backcountry/wilderness areas of RMNP should have the opportunity for a variety of personal outdoor experiences, ranging from solitary to social. Visitors should be able to continue to experience the backcountry/wilderness with as little influence from the modern world as possible. The visitor experience should relate intimately to the splendor of the wilderness resource of RMNP. Within this context, this Backcountry/Wilderness Management Plan is intended to serve the following vision, goals, and objectives in order to preserve the wilderness/backcountry resource for present and future generations:

### **RMNP's Wilderness Vision:**

Rocky Mountain National Park is recognized internationally as one of the world's most outstanding natural treasures. As a national park and wilderness, the Park's meadows, forests, alpine peaks and tundra, and everything associated with them, must be protected in perpetuity. Park managers must carefully care for these natural and cultural resources. Visitors should be educated about all that wilderness has to offer in order to understand and appreciate wilderness resources and values. It is RMNP's vision to be a world leader and showcase for wilderness protection, management, and education.

**Goals of the RMNP's Backcountry/Wilderness Management Plan:**

- Manage the wilderness resources in accordance with the Wilderness Act, the NPS Organic Act, RMNP's enabling legislation, and NPS policies.
- Protect and preserve natural and cultural resources and the integrity of the wilderness character for present and future generations.
- Provide for maximum freedom of public use and enjoyment of the wilderness in a manner that will not sacrifice the quality of the wilderness' natural and cultural resources.
- Provide for public understanding and support of wilderness values.

**Objectives of RMNP's Backcountry/Wilderness Management Planning Effort:**

- Serve as guidance for field and management staff in application of wilderness management techniques and integration of wilderness management objectives into other park management documents.
- Coordinate with adjacent wilderness management agencies to provide continuity, where possible and appropriate, in managing the wilderness' natural ecosystem processes and cultural resources.
- Provide a broad range of opportunities to facilitate wilderness use while protecting the wilderness resource.
- Apply policies consistently, thereby enhancing wilderness users' experiences and ensuring compliance with wilderness regulations.
- Develop and implement a public information and educational program to promote Leave No Trace skills and wilderness ethics in order to reduce behaviors that are harmful to natural and cultural resources and experiences.
- Instill and apply the Minimum Requirement Concept into management actions and practices.
- Base management decisions on sound scientific research. Incorporate new data and information, as necessary, into a dynamic wilderness management program.
- Identify and preserve the outstanding remarkable values of the park backcountry.

**1.6 Plan Review and Update**

The Backcountry/Wilderness Management Plan will be effective for a minimum of five years, and a period not to exceed ten years. The Park Backcountry/Wilderness Steering Committee, including the Wilderness Program Specialist, Trail Crew Foreman, and one representative each from the Divisions of Visitor Management and Resource Protection, Interpretation, Resource Management and Research, and Facilities Management, will conduct an annual review as needed. The purpose of the annual review will be to evaluate the status and effectiveness of management actions, and to ensure that the management objectives stated in this plan are

being met. The review process will incorporate data from resource monitoring and research projects, visitor use statistics, and status reports on visitor use management in RMNP's backcountry/wilderness areas. Priorities of implementing actions described in this plan will also be determined, and incorporated into the annual work plans for the appropriate work unit. The Backcountry/Wilderness Management Plan update will occur within a five-year period, depending on the need for major revision and update as determined through the annual review process or as necessitated by change in RMNP management direction and/or NPS policy. The update may incorporate public meetings and comments, research and monitoring data, visitor use information, NPS policy, and legislated wilderness mandates.

## 1.7 The Planning Process

### 1.7.1 Planning Team

In 1996 a Task Directive was prepared for the development of an updated Backcountry/Wilderness Management Plan to guide the Park in managing the backcountry/wilderness resource in RMNP, to preserve the natural conditions and scenic beauty, while allowing for use and enjoyment by the public.

The first step in developing of this plan was the establishment of an internal planning team with interdisciplinary capabilities. The core team consisted of eight members, including specialists in wilderness, ranger operations, trails/sanitation, natural and cultural resources, and interpretation. This core team was chiefly responsible for developing the Backcountry/Wilderness Management Plan and associated environmental assessment. Additional park staff were called upon on an as needed basis.

The team identified and used a planning process modified from the Limits of Acceptable Change (LAC) and Visitor Experience and Resource Protection (VERP) processes. Those processes are generally based on desired natural and social conditions, impacts to the resource and actions to avoid or mitigate impacts. The planning steps included:

- Assemble a team and develop statements of park purpose, goals and objectives
- Identify issues and concerns
- Develop a range of management classes (desired resource and social conditions)
- Choose and formulate standards for resource and social indicators of change
- Monitor conditions
- Compare desired future conditions to existing conditions
- Identify alternative management class allocations and management actions for each alternative
- Select an alternative
- Implement appropriate management action

Alternatives were developed based on this process. Input was obtained from the public and other agencies, regarding issues and concerns, in a variety of ways at various points in the process.

## 1.7.2 Scoping

A very important part of the planning process for the Backcountry/Wilderness Management Plan was scoping. Early in the process, the planning team consulted with the U.S. Fish and Wildlife Service about threatened and endangered species; with the State Historic Preservation Office about cultural resources; and with the United States Forest Service about adjacent Wilderness areas. Public workshops were held in May 1997 in Grand Lake, Estes Park, Fort Collins, Walden, and Boulder to gather input from the public and governmental agencies. Internal scoping was conducted in June 1997 by holding two employee meetings to discuss the plan, issues, and concerns with park staff.

A public scoping newsletter was mailed to 161 individuals, organizations, and government agencies in Spring 1997, to introduce the purpose of the plan, and to announce the locations, times, and dates of the scoping workshops. Space was provided on the mailer for written comments that could be submitted by returning that portion of the mailer to RMNP.

A web page was developed and put online in May 1997. It outlined the Park's purpose and significance, the wilderness vision, goals and objectives, the planning process and provided an avenue for input including contact information for further questions. Over 10,000 hits have been recorded.

Through the series of workshops, plus release of a scoping brochure and use of the web page to advertise the process and solicit input, the planning team collected the public's ideas and comments about issues and concerns. All issues and concerns identified during public scoping were considered by the NPS for inclusion in the Backcountry/Wilderness Management Plan and EA.

Comments from a total of 57 individuals or organizations were received either through the web page, email, letters or returned mailers. Forty-five individuals made comments at the public and staff workshops.

Six categories were used to organize the comments. They were Environmental Quality, Trails/Facilities, Quality of Experience, Management Actions, Recreational Use, and Unidentified Issues. From comments within those six categories, the team identified 10 significant issues. Those issues were used to focus the scope of the plan, develop a draft outline, and formulate alternatives.

The 10 significant issues were:

- Education
- Recreational use
- Trails and trailheads
- Overnight permit system
- Camp areas
- Appropriate facilities
- Administrative actions
- Research activities
- Resource impacts
- Social impacts

Several issues were raised during scoping that were not directly addressed or not advanced into the plan. Specific issues that were raised during scoping regarding air and water quality, and fish and wildlife management, are indirectly addressed in this plan by way of setting general guidance. Other comments were made on issues concerning such things as wildland fires, transportation systems and commercial services. These are discussed under separate management plans and will be linked to the Backcountry/Wilderness Management Plan for consistency.

A large number of comments addressed the issue of pets in the backcountry, particularly on allowing or not allowing dogs on trails. The public is widely split on this issue. Current NPS regulations do not permit pets in the backcountry of RMNP, and a change in these regulations would have to occur before RMNP could even consider any change at the park level. The use of horses, particularly concerning waste control or cleanup on trails and trail tread impacts, was also raised as an issue of concern. Specifics on those issues are within the scope of other park management plans (i.e., 1994 Commercial Horse Use Plan and the 1982 Trail Plan).

Many comments were raised that related to the status of RMNP's recommended wilderness designation, rather than the plan itself. Wilderness designation is a separate issue and is not affected by actions in this plan.

### **1.7.3 Resources and Concerns Addressed in this Plan/EA**

Each of the ten significant issues identified during scoping was included in various sections of the proposed Backcountry/Wilderness Management Plan described in Chapter 2. Topics for impact assessment were then derived by the planning team, based on an assessment of which elements of the natural or human environment could be most affected by implementation of the proposed plan. These included both natural and cultural resources, as well as local social and economic concerns and administrative/managerial operations, and are listed below:

- Geology, soils, and vegetation
- Natural quiet, sound, and lights
- Aquatic, wetland, and riparian communities
- Endangered, threatened, and rare species
- Wildlife
- Air quality
- Visitor use and experience
- Socioeconomics
- Cultural resources
- Park operations

The impacts anticipated from implementing the alternatives for each of these topics are described in Chapter 4, Environmental Consequences and the topics themselves are described in Chapter 3, Affected Environment.